

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,     )  
   )  
          Plaintiff,                                 )  
   )  
          v.   )  
   )  
ATTICUS, LLC,                                     )  
   )  
          Defendant.                                )

**ORDER**

This matter is before the court on Plaintiff's motion to seal portions of documents submitted by Defendant in opposition to Plaintiff's Motion to Maintain Confidentiality Designations. Plaintiff seeks to seal the filings on the ground they contain "sensitive business information concerning or referencing Syngenta's . . . business strategies on pricing, sales, and loyalty programs." (Pl.'s Mem. Supp. Mot. Seal [DE #520] at 4.) Where appropriate, Plaintiff has filed proposed redacted versions of the documents, omitting the portions the parties contend should not be available to the public.

For the reasons set forth in the Plaintiff's motion and supporting memorandum, the court grants Plaintiff's motion to seal. The court finds that the public's common law right of access is outweighed by the interests of the parties in protecting against competitive and/or financial harm were such information made public. *In re Knight Publ'g Co.*, 743 F.2d 231 (4th Cir. 1984). Public notice of the

parties' requests to seal these documents and a reasonable opportunity to object have been provided by the filing of their motions, and no objections have been filed with the court. The parties have narrowly tailored the requests to remove only information that is sensitive and confidential and not otherwise publicly known. Furthermore, the parties have since settled all matters in controversy between them. Consequently, Plaintiff's Motion to Maintain Confidentiality Designations and Defendant's response in opposition thereto will not be the subject of any ruling by the court.

### **CONCLUSION**

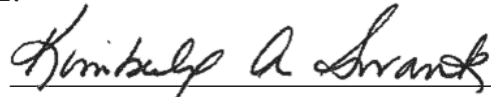
For the foregoing reasons, it is hereby ORDERED as follows:

1. Plaintiff's Motion to Seal [DE #519] is GRANTED;
2. The following documents shall be SEALED:
  - a. Defendant's Response in Opposition to Plaintiff's Motion to Maintain Confidentiality [DE #461]. A redacted version is available at DE #520-3;
  - b. Exhibits 2, 5, 22, 24, and 25 to Defendant's Response in Opposition to Plaintiff's Motion to Maintain Confidentiality [DE ##463-2, 463-5, 463-15, 463-17, and 463-18]. Redacted versions are available at DE ##520-3, 520-4, 520-5, 520-6, 520-7, and 520-8; and
  - c. Exhibits 9, 10, 11, 12, 13, 14, 15, 16, 17 to Defendant's Response in Opposition to Plaintiff's Motion to Maintain Confidentiality [DE ##463-6, to 463-14].
3. The clerk shall UNSEAL the following provisionally sealed documents unless a motion to seal is filed within seven (7) days of the date this order is entered:
  - a. Exhibit 1 [DE #463-1];
  - b. Exhibit 3 [DE #463-3];

c. Exhibit 4 [DE #463-4]; and

d. Exhibit 23 [DE #463-16].

This 22nd day of December 2022.

A handwritten signature in black ink, reading "Kimberly A. Swank", written over a horizontal line.

KIMBERLY A. SWANK

United States Magistrate Judge